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July 9, 2003

Ms. Mary Cottrell  
Secretary,  
Massachusetts Department of Telecommunications and Energy  
One South Station, 2<sup>nd</sup> Floor  
Boston, MA 02110

**Re: D.T.E. 03-62, Investigation of the use of the New England Generation  
Information System for the purpose of complying with Information  
Disclosure**

Dear Ms. Cottrell:

TransCanada Power Marketing ("TCPM") appreciates the opportunity to comment on the inquiry related to using the New England GIS for the purpose of complying with information disclosure. TCPM is an active competitive retail supplier in the state and will be directly affected by any disclosure requirements approved by the Commission.

TCPM is a Delaware corporation with its principal place of business in Westborough, Massachusetts. TCPM is an active member of the New England Power Pool ("NEPOOL"), a wholesale provider of standard offer supply, and is an active competitive retail electric supplier licensed in New Hampshire, Maine, Rhode Island, Connecticut, and Massachusetts. TCPM serves large commercial, industrial, and institutional customers.

Please do not hesitate to call if you have any questions.

Sincerely,

Stuart Ormsbee  
Regulatory Affairs Analyst

The NE-GIS is a valuable tool that will allow suppliers to track and document transactions taken for the purpose of meeting RPS and for verifying disclosure claims in the various New England states. It will allow regulators to better evaluate suppliers claims with respect to resource mix and generation attributes, to look for gross violations of double counting, and to assess compliance with regulations.

However, the GIS should not be the sole source for label information, because 1) the GIS does not include all generation resources in New England, and 2) doing so would be inconsistent with Division of Energy Resources (“DOER”) rules regarding the renewable portfolio standard.

First, current GIS rules strictly limit eligibility to pool units (NEPOOL generators) and non-NEPOOL generators with nameplate capacity of 5 MW or less. Non-NEPOOL generators greater than 5 MW are excluded. These excluded resources may have attributes that have value in the market (i.e., some may meet state eligibility requirements for RPS) and therefore these resource owners should be allowed to sell these attributes to load suppliers and be included in the suppliers’ reported resource mix and attributes. Suppliers may rely on these resources to meet load obligations or to meet the state’s minimum renewable portfolio standard. Until all resources are permitted to participate in GIS, the DTE should not limit disclosure reporting to GIS since it cannot at this time provide the most accurate information for retail customers.

Second, TCPM requests that the DTE attempt to make its reporting requirements as consistent as possible with the requirements of the DOER. The DOER’s RPS regulations do not strictly limit documentation of compliance to the GIS. RPS compliance filings for

retail electricity suppliers can include documentation “for electrical energy transactions not included in the ISO-NE Market Settlement System, and for which the Retail Electricity Supplier has not secured generation certificates from the NE-GIS administrator” 225 CMR 14.10(c). If a supplier relies on non-GIS resources to meet its RPS, it must be able to include this generation in its disclosure label for consistency and accuracy.